THE WILDERNESS SOCIETY

California/Nevada Regional Office

Clare Laufenberg Gallardo
California Energy Commission
1516 Ninth St, MS-46
Sacramento, CA 95814-5512

July 10, 2009

Dear Ms. Gallardo,

**RE: Comments on the Phase 2A – Draft Report**

Please accept and fully consider these scoping comments on behalf of The Wilderness Society. Founded in 1935, our mission is to protect wilderness and inspire Americans to care for our wild places. We work to maintain the integrity of America's wilderness and public lands and ensure that land management practices are sustainable and based on sound science to ensure that the ecological integrity of the land is maintained. With more than half a million members and supporters nation-wide and 85,000 in California, TWS represents a diverse range of citizens.

It is clear that the nation's growing addiction to fossil fuels, coupled with the unprecedented threats brought about by global warming, imperil the integrity of our wildlands as never before. To sustain both our wildlands and our human communities, The Wilderness Society believes the nation must transition away from fossil fuels as quickly as possible. To do this, we must eliminate energy waste, moderate demand through energy efficiency, conservation, and demand-side management practices, and rapidly develop and deploy clean, renewable energy technologies.

The nation needs a comprehensive energy policy rooted in energy efficiency and conservation. Enhancing the efficiency of our technologies and using only what we need is the cheapest, simplest, and most environmentally-sound way to reduce consumption of fossil fuels. We are encouraged that the Phase 2A Draft report incorporates "full achievement of energy efficiency program targets and aggressive, continuing expansion of distributed photovoltaic generation beyond currently adopted state goals" into their estimates of the amount of renewable energy in 2020 (p. 1-1).

However, gains in energy efficiency alone will not be enough. The nation must be repowered with new renewable energy technologies at the small and large scales. California harbors substantial wind, solar, and geothermal resources. Developing some of these resources will be important in creating a sustainable energy economy and combating climate change, and The Wilderness Society supports such responsible development of renewable energy. Renewable resource development is not appropriate everywhere on the public lands and development that does occur on the public lands should take place in a responsible manner.

I am writing to comment on several continuing concerns with the data used and process undertaken by RETI.

**A. Continue to Improve the Process**

Our organization has been actively engaged in a number of multi-stakeholder processes aimed at identifying environmentally appropriate areas for solar energy development in California and the West, including RETI, the Western Governors' Association's Western Renewable Energy Zone process, and the BLM's plan to develop a Programmatic Environmental Impact Statement on Solar Energy. Rather than proceed on a project by project basis, we support a more comprehensive approach to the siting of these projects, the identification of areas appropriate for development, and the prioritization of already disturbed areas.

We strongly urge the CEC to prioritize and help guide renewable energy development toward land that has already been developed for industrial, agricultural, or other intensive human uses which are close to existing transmission over ecologically-intact public lands.

In addition, our organization has worked with other members of the environmental community in California to develop criteria for use in identifying appropriate areas for development in the CDCA as well as a vision for both the kind of planning and the kind of plan needed to protect the desert's remarkable resources while addressing the climate challenge effectively. Fundamentally, success in selecting appropriate areas and achieving the over-arching objective which we all share will require an unprecedented degree of state and federal cooperation as well as close collaboration with our community. Given what is at stake, such cooperation is unquestionably warranted and it is our hope that the identification and application of these criteria will contribute to that result.

The criteria document, *Renewable Siting Criteria for California Desert Conservation Area*, which has been previously submitted to RETI, is designed to help guide renewable development, principally solar development, to appropriate locations. More specifically, the criteria are intended to inform current and future planning processes and provide ecosystem level protection to the CDCA (including public, private and military lands) by giving preference for development to disturbed lands, steering development away from lands with high environmental values, and protecting the desert's undeveloped core. Developed with input from field scientists, land managers and conservation professionals, the criteria in essence seek to steer renewable energy projects to areas with comparatively low potential for conflict and controversy in order to facilitate their timely development. In other words, the "message" the criteria are intended to deliver is that to expedite development, avoid areas that will generate significant controversy.

The environmental community will be employing the criteria in reviewing "fast-track" energy projects located on BLM land, as well as in reviewing proposed BLM solar energy study areas. Our hope is that the criteria will also be used by RETI to further refine and improve the CREZ to ensure that the most appropriate sites for development are utilized and prioritized while more sensitive sites are protected and preserved.

### B. CREZ Ranking and Prioritization

In the report, the work of RETI Phase 2 is described as the "development of a statewide conceptual transmission plan to access *priority* CREZ, based on more detailed analysis of CREZ" (p. 1-1, emphasis added). Although the bubble chart on page 2-29 shows the relative environmental and economic rankings of the CREZ, it is unclear how RETI actually intends to prioritize development of the CREZ. Additionally, a table showing relative rankings of the CREZ would be useful.

Our initial understanding was that the environmental and economic CREZ rankings would be used as a tool to prioritize specific areas in California for renewable energy development. There have been substantial changes made to the CREZ boundaries and rankings since Phase 1. However, we had been encouraged by the Phase 1B report which noted that the top five CREZ (according to the environmental and economic ranking scores) had an estimated energy output of 74,300 GWh/year – more than the amount of energy needed to meet California's goal of 33% renewable energy by 2020.

Table 3-3 provides Summary CREZ Data: "the column headed **Total Energy** shows the total amount of energy that each CREZ is estimated to be able to produce, in Gigawatt-hours (GWh). The column headed **Net Short Total** shows CREZ energy output, in GWh, with that output reduced proportionally so that the aggregate of all CREZ equals the Renewable Net Short, in GWh, estimated to be required statewide in 2020" (p. 3-43). In addition, the report states that one of three main assumptions of Phase 2 work is to "include some level of access to all CREZ" (p. 1-9).

Does this mean that RETI will plan for the development of *all* CREZ, regardless of their ranking? It is unclear from the Phase 2A Draft report if and how such a prioritization of CREZ will occur. This report discusses prioritizing transmission line segments and components, but not CREZ. While it is clear that a significant amount of research was employed to reevaluate the CREZ environmental and economic scores, lack of information on how these new rankings will be used is concerning. The omission of this discussion should be addressed, as the prioritization of CREZ is an important factor in appropriate development.

### C. CREZ Boundary Refinement

We greatly appreciate the effort made to refine the CREZ boundaries. The corrections made to CREZ in Phase 2, such as removing projects in places that could not be developed due to regulatory limitations and removing proxy projects that had been incorrectly located in category II lands, are improvements. We recommend that the draft maps identifying the CREZ and other data layers be modified so the boundary of each CREZ is clearer to the public.

However, still more work is needed to accurately portray environmental concerns about the CREZ. The Phase 2A report includes an environmental checklist for each CREZ – the CREZ Environmental Issues Matrices (Appendix C). The report notes that the matrix is "expected to be useful in estimating the rate of future development and the timing of

future transmission needs" (p. 2-31). However, more work needs to be done to explain how the information included in the matrix will be utilized by the Stakeholder Steering Committee to address the environmental factors listed. For example, there are CREZ that contain Mojave Ground Squirrel Conservation Areas and Citizens' Inventory Wilderness areas, but the report does not indicate how impacts to those areas will be addressed. In addition, we ask that the report explain how the CREZ were refined and specifically how they were refined due to environmental factors. There also needs to be a narrative provided for each CREZ that provides a rational for the decision to either refine or not refine the CREZ.

### a. Citizens Wilderness Inventory

There are several conflicts between particular CREZ and Citizens' Inventory Wilderness areas. These Citizens' Proposed Wilderness areas have been inventoried by various citizens groups, conservationists, and agencies and found to have "wilderness characteristics," including naturalness, solitude and the opportunity for primitive recreation. These lands also provide important wildlife habitat, cultural and scientific resources, invaluable ecosystem services including clean air and water, important economic benefits, and many other resources and values. Though they do not represent all lands with wilderness characteristics in the West, these lands are the most current representations identified by the responsible groups to-date. Development in Citizens' Proposed Wilderness areas would be ecologically irresponsible and would lead to high levels of conflict.

The following CREZ overlap with Citizens' Proposed Wilderness Areas: CREZ 1 - Lassen South, CREZ 2 - Lassen North, CREZ 26 - San Diego North Central, CREZ 37 - Iron Mountain, and CREZ 52 - Tehachapi. We ask that Citizens' Proposed Wilderness Areas be excluded from the CREZ boundaries.

It is unclear from the printed maps, but it appears that there are also Citizens' Proposed Wilderness Areas included in CREZ 3 - Round Mountain. This is not reflected in the matrix.

#### i. CREZ 37 – Iron Mountain

It is important to point out that Iron Mountain includes approximately 60,000 acres of Citizens' Proposed Wilderness Areas – the largest area of Citizens' Proposed Wilderness Areas included in any CREZ. These areas should be excluded from the CREZ or, at the very least, the environmental ranking of this CREZ should reflect the inclusion of such a large area of undisturbed, pristine land. Many environmental organizations oppose solar energy development in the Iron Mountain region. As the Phase 2A Draft report notes, the Iron Mountain CREZ is also included within the boundaries of the potential Mojave National Monument contemplated by Senator Feinstein (p. 2-31). Development in this area could also block or significantly impact key wildlife corridors between Joshua Tree National Park and the Palen-McCoy Wilderness Area to the east.

### b. BLM Development Caps

The section of the document that details the 1% development cap required for Areas of Critical Environmental Concern (ACECs), Desert Wildlife Management Areas (DWMAs)

and areas covered by Habitat Conservation Plans (HCPs) lacks a comprehensive review of all area's with this restriction. The analysis is also limited. Table 2-1 only looks at four Desert Wildlife Management Areas and needs more explanation. Based on a review of the recently released maps and the CREZ Environmental Issues Matrices, there appears to be CREZ within Mojave Ground Squirrel Conservation Areas, but there is no discussion of Mojave Ground Squirrel habitat found in the report.

### c. Wildlife Corridors

More information about wildlife corridors needs to be incorporated into the RETI process. Mapping efforts showing key linkages are improving and should be factored in as they are developed.

## D. Continued Need to Prioritize Disturbed Lands:

The intent of the criteria document, *Renewable Siting Criteria for California Desert Conservation Area*, mentioned above is to inform planning processes like RETI and was designed to provide ecosystem level protection to the CDCA by giving preference to disturbed lands, steering development away from lands with high environmental values, and avoiding the desert's undeveloped core. As we have argued before in previous comments on the RETI process, RETI should prioritize renewable energy development on "disturbed lands" – disturbed lands should include lands that have undergone intensive human activity such as brownfield sites, industrial sites, and agricultural lands.

The Phase 2A report notes that RETI obtained information for some previously disturbed lands nearby existing CREZ and has attempted to incorporate these lands into adjacent CREZ (p. 2-23). While we appreciate this effort, the lack of information and data about disturbed lands has been problematic from the beginning of the RETI process. In order to prioritize development on previously disturbed lands and protect the undeveloped desert core, there must be a comprehensive mapping effort undertaken to systematically identify these areas. We strongly encourage state agencies to undertake a comprehensive effort to define, identify, and map disturbed areas and address this data gap.

## E. Private Land Parcelization

In the Western Mojave, previously disturbed private lands with high solar energy potential were excluded from RETI due to ownership fragmentation. Further assessment of these lands is warranted. As the Phase 2A Draft report states: "proxy solar projects in areas having more than 20 different owners per two-square mile area were deemed unlikely to be developed" (p. 1-4). The 20 owner limit per two-square mile rule is too limiting and as a result many areas not considered for inclusion in the CREZ may still have significant development potential on relatively noncontroversial lands.

We strongly urge RETI, in conjunction with the renewable energy industry, the CEC and other federal and state agencies to develop and implement a strategy to address this issue. The consolidation of disturbed or degraded private lands for renewable energy development should be the highest priority. We hope these lands will be incorporated into the RETI process once the fragmentation issue is addressed.

### F. Transmission planning

RETI's main goal has been to identify resources sufficient to meet California's RPS after assessing expected distributed generation and energy efficiency and conservation contributions. Public support for RETI outcomes will depend largely on the project's ability to facilitate renewable energy development and distribution. RETI must avoid recommending upgrades that do not advance the RETI goal.

Guidance to rely on existing transmission infrastructure to the greatest extent possible has greatly reduced the environmental impact of the RETI plan. We appreciate the adoption of this guidance. However, we urge RETI to fully explore alternatives to the proposed transmission routes. While RETI's preferred location may be the most direct and lowest economic cost, there may be alternatives that are environmentally preferable. Maximum use of exiting corridors, combined with co-located facilities, should be the guiding principle in transmission line proposals.

The recommendation to end duplication of lines between IOUs and POUs is very welcome. Ending this practice would be a major victory for environmental protection and will lessen the public's objection to transmission improvements because the overall footprint will be reduced. We strongly support this recommendation.

This section of the report on the Evaluation of Line Segments suffers from the same problems as the CREZ refinement section. While we appreciate the segment analysis worksheets, there is little to no narrative explanation provided for each line segment. In addition, while we also appreciate the convening of the expert workgroup, the worksheets provide little insight into the experts' analysis or the basis for the awarding of points or ranking.

Thank you for your consideration and for the opportunity to provide comments. Please contact me if you have any questions about my comments.

Sincerely,

Alice Bond
Public Lands Associate